

SENATE JOINT RESOLUTION 248
By McNally

A RESOLUTION to recognize Judge Ben H. Cantrell on the occasion of his retirement.

WHEREAS, it is appropriate that the members of this legislative body should honor those outstanding citizens who have served on the bench with uncommon devotion and enthusiasm; and

WHEREAS, Ben H. Cantrell is one such estimable person and superlative jurist who has served this State with distinction on the bench for almost three decades, nearly 23 years of such distinguished tenure being on the Tennessee Court of Appeals; and

WHEREAS, born December 6, 1934, in Palmersville, Tennessee, Ben H. Cantrell graduated from Palmersville High School in 1952, attended Bethel College in McKenzie, earned a Bachelor's degree in Mechanical Engineering from Vanderbilt University in 1957, and was awarded a J.D. degree from the University of Tennessee College of Law in 1966; and

WHEREAS, while at law school, he was a member of the Order of the Coif, and, in his last year, met and married Rose Park of Chattanooga; Rose Cantrell started law school in 1971 and later served for six months in 1982 as Davidson County's first woman trial judge in Circuit Court; and

WHEREAS, Mr. Cantrell practiced law in Nashville from 1966-1973; in 1973, Governor Winfield Dunn appointed him to the Chancery Court, and, the following year, he was elected to that office for eight years as the only Republican nominee ever elected to countywide office in Davidson County; and

WHEREAS, Governor Lamar Alexander appointed Judge Cantrell to the Court of Appeals in 1980, and he was elected to eight-year terms on the court in "yes" or "no" retention votes in 1982, 1990 and 1998; he has served as the presiding judge of the Court of Appeal's Middle Tennessee Division since 1998; and

WHEREAS, Judge Cantrell heard many cases dealing with the operation of state and local government as Davidson County Chancellor, and in 1978 ruled that Tennessee's prison system violated constitutional provisions for fair treatment of inmates; eventually, a federal judge appointed a special master to manage the prison system. In more recent years on the Court of Appeals, he ruled on the applicability of the "Sunshine Law" to the operations of the General Assembly; and

WHEREAS, Judge Cantrell is an active and important part of his community and his profession, serving as an instructor at the Nashville School of Law since 1975, maintaining membership in the Nashville, Tennessee and American Bar Associations, holding membership in American Judicature Society and the Harry Phillips American Inn of Court and serving on the Court of the Judiciary from 1983-1991, including serving as its presiding judge from 1984-1987; and

WHEREAS, Judge Cantrell is highly regarded among his peers on the bench and has been described by Appeals Court Judge Patricia Cottrell as "a role model for good judges...who is fair-minded, patient, and combines a deep knowledge of the law with wisdom and common sense"; Court of Appeals Judge William C. Koch said of him that he is "self-effacing, has a wry sense of humor, is a scholar of the law and is very generous with his time"; and

WHEREAS, Dewees Berry IV, President of the Nashville Bar Association, called Judge Cantrell "a wonderful man and a wonderful judge...He's calm, patient and fair. His opinions are so well-crafted and get to the point without excess verbiage."; and

WHEREAS, following his retirement on September 1, 2003, Judge Cantrell plans to work part time in arbitration and mediation at the law firm of Tune, Entrekin and White, and to devote more time to the Board of Trustees at Bethel College and working with one of his brothers on a history of Palmersville, Tennessee; and

WHEREAS, Judge Cantrell exemplifies the spirit and allegiance to family and community that are characteristic of a true Tennessean; he and his wife, Rose, are the proud parents of two daughters; and

WHEREAS, throughout his estimable career, Judge Cantrell has demonstrated the utmost professionalism, ability and integrity and an unwavering dedication to equity and justice under the law, winning the unbridled respect and admiration of members of the bench and the bar alike; now, therefore,

BE IT RESOLVED BY THE SENATE OF THE ONE HUNDRED THIRD GENERAL ASSEMBLY OF THE STATE OF TENNESSEE, THE HOUSE OF REPRESENTATIVES CONCURRING, that we thank Judge Ben H. Cantrell for his years of outstanding service to the citizens of Tennessee and extend to him our heartfelt wishes for a happy and fulfilling retirement and every continued success in his future endeavors.

BE IT FURTHER RESOLVED, that an appropriate copy of this resolution be prepared for presentation with this final clause omitted from such copy.